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SUMMARY RECORD OF THE 1534th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 22 October 1996, at 3 p.m.

Chairman: Mr. BÁN
(Vice-Chairman)

later: Mr. AGUILAR URBINA
(Chairman)

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In the absence of Mr. Aguilar Urbina, Mr. Bán, Vice-Chairman, took the Chair.

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (agenda item 4) (continued)

Third periodic report of Denmark (continued) (CCPR/C/64/Add.11)

1. At the invitation of the Chairman, the members of the delegation of Denmark took places at the Committee table.

2. Mr. BRUUN (Denmark), replying to the questions on the subject of religious freedom, said that everyone in Denmark was required to pay a so-called church tax, which normally went to the country's "national church", the Evangelical Lutheran church. However, people were free to notify the Government that they did not belong to that church or had joined another religious community. No one was obliged to pay anything towards a religious denomination other than his or her own. It could be argued that everyone in the country supported the national church to some extent, because the church tax was supplemented from the general State revenue. That was not unreasonable, however, as the church's duties included activities such as the registration of births, marriages and deaths which were performed by the ordinary civil authorities in other countries.

3. The question had been asked whether there was any discrimination against unmarried couples living together. To enjoy tax privileges, a couple, whether of different sexes or of the same sex, had to register its union, in the former case through marriage and in the latter through the recently instituted "registration of partnership". Failing registration, it was not possible to obtain tax relief.

4. There was no discrimination based on previous nationality or race with regard to applicants for Danish citizenship. Naturalization was governed by rules relating to length of residence (with shorter periods for refugees, spouses of Danish citizens and nationals of other Nordic countries) and a small number of other requirements (knowledge of the Danish language, absence of a serious criminal record, etc.).

5. A number of questions had been asked about the Inuit inhabitants of Thule. At the time of the establishment of the Thule airbase, there had been some protests but the protesters had opted for political initiatives to improve living conditions in the area. A programme to that effect had been agreed with representatives of the Inuit community and had been implemented. The inhabitants of Kalak possessed the right to freedom of movement, like all Danish citizens, but airport logistic problems made it necessary to book tickets several weeks in advance. Efforts were being made to improve the arrangements.

6. His earlier remarks on the subject of persons living in Denmark whose language was neither Danish nor German might have misled the Committee. There had been some positive discrimination in favour of German-speaking children

for historical reasons, but the rights of Danish-speaking schoolchildren and those with a different mother tongue were essentially the same. Municipalities were obliged to offer instruction in the mother tongue provided that there were at least 12 children speaking the language in question and that a qualified teacher could be found. Of Denmark's 430 free primary schools, 20 offered instruction in two languages other than German. Private Koranic and other religious schools were recognized by the State.

7. The absence of a Greenlandic text of the Covenant was a matter for regret and steps were currently being taken to provide a translation.

8. Ms. BURKØ (Denmark) said that police dogs were sometimes used to disperse assemblies which threatened to become dangerous and it was true that some persons had unfortunately been bitten. As for the suggestion that the police should fire in the air instead of using dogs, if people failed to disperse after such a warning, the police would have either to fire into the crowd, or else do nothing more.

9. Replying to questions on the subject of police self-defence techniques, she said that a medical review had recently been performed with a view to clarifying the risk involved in the use of such techniques and the findings had been incorporated in tuition at the Police Academy. The Copenhagen Police Commissioner was currently investigating the possibility of replacing the type of handcuffs currently in use, and the police had been instructed not to tighten handcuffs unnecessarily. The use of fixed leglocks had been abolished in December 1994.

10. Police officers received training in handling situations that might suddenly arise where a person was suffering from a mental illness. In a court, the defence would certainly ensure that the accused person's state of mental health was taken into consideration.

11. As already stated, the Ministry of Justice intended to issue a circular to the police concerning the right of an arrested person to contact a solicitor, his or her family and a doctor. A draft text of the circular was under consideration and a final text would be adopted before the end of the year.

12. In reply to questions about methods of dealing with complaints concerning police behaviour, she said that, under a new set of rules, the investigation was conducted by the Public Prosecutor, who was independent of the police. If weapons had been used by the police, a report was submitted to the Chief of Police and investigation held in the event of any infringement of the rules. The report was subsequently published and used as a basis for statistics.

13. Ms. N.H. CHRISTENSEN (Denmark), replying to questions concerning the Greenlandic Criminal Code, said that the absence of fixed sanctions was deemed compatible with article 9, paragraph 1, of the Covenant but the issue was currently being examined by the Greenland Home Rule authority. The situation regarding the transfer of certain matters to the Home Rule authority was by no means static and further changes could be made in future.

14. Replying to questions concerning the so-called "biker law", she said that police could ban individuals from certain premises only if those premises were used by a group to which the individuals in question belonged and there was a risk of violence that would endanger persons in the vicinity. The Act was applicable only in the case of clashes between groups which used violent means such as firearms or explosives. The Government, which fully agreed that the Act affected a number of number of human rights, had carefully considered its wording before presenting the Bill to Parliament, which had held a hearing on the human rights aspects. The general consensus in Denmark supported the Government's view that the Act was consistent with the principle of proportionality, all other means such as intensive police surveillance having failed to stop the ongoing war between the rival gangs.

15. Under Section 266 D of the Penal Code, a person could be sentenced to up to two years' imprisonment for publishing material containing degrading racial manifestations, whether the publication was disseminated inside Denmark or elsewhere. Denmark did not punish racial manifestations which were not degrading but involved matters of historical fact.

16. Paragraph 762 of the Administration of Justice Act fixed the period of pre-trial detention at four weeks. The Court could prolong that period by a further period of four weeks at a time, there being no fixed maximum limit. The decision of a lower court could be appealed to a higher court and, under special circumstances, to the Supreme Court. As for solitary confinement during pre-trial detention, the Court could decide to impose such a measure for a period of four weeks and, in serious cases, to prolong it to eight weeks. No maximum time-limit was provided in extremely serious cases, but the courts had to respect the principle of proportionality.

17. With regard to the question of the relationship between a court decision to impose solitary confinement during pre-trial detention and the principle of presumption of innocence, she said that such a decision could only be taken if the Court found grounds for special qualified suspicions. In such cases, the Judge who made the decision could not participate in the Court's further deliberations. More generally, a judge could always disqualify himself if his participation in decisions during the investigation raised questions concerning respect for the principle of presumption of innocence.

18. Ms. L.B. CHRISTENSEN (Denmark) said that one of the most important initiatives to combat racism and xenophobia in Denmark was the so-called Barrier Commission, whose task was to break down existing barriers to the employment of aliens and refugees. Another was the so-called Town and City Committee, which was endeavouring to promote good community relations in neighbourhoods with a high concentration of immigrants and social problems. Other initiatives had been undertaken in the field of education. The Racial Equality Board was currently considering the possibility of establishing a system of mediation in the case of individual complaints. Denmark had taken a very active role in the European Council's "All Different, All Equal" youth campaign and was engaged in preparations for the campaign year against racism decided upon by the European Union.

19. Denmark had put a stop to immigration in 1973. The rules concerning family reunification were an exception to that stop and were consequently

confined to the closest family members. In the case of a refugee, the issue of residence permits for close family members was not conditional on the family's ability to support itself. A the refugee could also be joined by his or her parents provided they were over 60 years of age and able to support themselves. In a very few cases, it was possible for refugees to be joined by their children aged over 18 or by other relatives. Such cases were made possible by exceptions to Section 9 of the Aliens Act.

20. Residence permits for the family members of non-refugee immigrants were issued only where the latter had been resident in Denmark for at least five years and were in a position to support the newcomers. Those conditions were imposed to facilitate the successful integration of family members and to discourage marriages of convenience. Persons holding temporary residence permits were unable to take advantage of family reunification facilities, but exceptions were possible on humanitarian grounds.

21. The rules governing the expulsion of aliens complied very closely with the provisions of article 13 of the Covenant. Persons who refused to identify themselves and thus could not be expelled to a particular country could be maintained in custody in Denmark under section 36 of the Aliens Act.

22. Ms. COHN (Denmark) said that only six Greenlanders were serving prison sentences in Denmark. The possibility of establishing a closed prison in Greenland was being considered in the context of the design of a new prison and psychiatric system for that part of the realm. Swift administrative action could be taken to transfer Greenlander inmates to facilities in Greenland as soon as circumstances allowed. In the meantime, linguistic and other improvements for the benefit of the Greenlander inmates of the Herstedvester prison in Denmark had been proposed. All such inmates were offered an annual trip to Greenland and a weekly ten-minute telephone call to relatives free of charge.

23. There were 38 local remand centres in Denmark and one large centre in Copenhagen with a capacity of about 500 cells. The centres were staffed by the Prison and Probation Service.

24. Under the spokesman system, prison inmates elected representatives to present complaints to the prison authorities and to seek to influence conditions. There were regular meetings between the two sides and records were kept of the proceedings. If an individual prison was unable to resolve an issue raised by the inmates, the matter was referred to the Directorate of Prisons and Probation. Individual inmates and groups could also communicate freely with the administration.

25. Ms. PETERSEN (Denmark) said that, in Greenland, life expectancy was 60.3 years for men and 67.9 years for women. The rate for women had been rising since the 1950s but that for men had stagnated in the mid-1970s, largely as a result of the high incidence of violent death from accidents and suicide in the male population, particularly among men in their early twenties. Sociological uprooting as a result of increasing modernization was partly to blame for the latter phenomenon. The Home Rule Government had sought to remedy the situation through intensive educational and counselling programmes for young people and families. The high accident rate was related

to the traditionally harsh conditions in which Greenlandic men earned their livelihood by hunting and fishing. Fish-processing was another accident-prone occupation and measures had been taken to promote worker safety.

26. The infant mortality ratio was 27 per 1,000 live births for boys and 22 for girls. The ratio had been declining steadily since the 1950s and particularly since Home Rule for Greenland in 1979. Demographic factors were partly responsible for the high ratio, since access to specialized neonatal treatment and care was difficult for a scattered population of 55,000 inhabitants. The social services were taking vigorous action to improve the ratio.

27. Mr. BRUUN (Denmark) said that euthanasia was prohibited in Denmark.

28. Psychiatric patients could not be subjected to research that was not immediately beneficial to themselves, since all such projects must be approved by the central Ethical Council.

29. Ms. BURKØ said that, if a person between 15 and 17 years of age confessed to a crime, a youth contract might be imposed by the court, with supervision by a court officer in some cases. Such contracts were suspended in the event of a relapse by the offender.

30. A number of claims for compensation on the grounds of police misconduct had been dismissed by the District Public Prosecutor in Copenhagen. His decisions had been appealed to the Director of Public Prosecutions. The City Court of Copenhagen had also refused certain claims for compensation, a decision that had not been appealed.

31. An arrested person was informed of the time of arrest and of his status as an arrested person in order to prepare for a court appearance within 24 hours.

32. Unlike photographs, access to fingerprints was reserved for experts and denied to ordinary police officers. One of the reasons for keeping fingerprints was to prevent innocent persons from being prosecuted.

33. The CHAIRMAN invited the delegation of Denmark to answer the questions contained in part II of the list of issues (CCPR/C/58/L/DEN/2).

34. Ms. N.H. CHRISTENSEN (Denmark), replying to questions (a) and (b), said that although the Covenant had not been incorporated in Danish law, the courts were bound to apply its provisions. Their scrupulousness in doing so was underlined by the fact that Denmark had entered reservations to the Covenant where incompatibilities existed that could not be reconciled by interpretation.

35. During the period under review, no cases of invocation of the Covenant before the courts or the administrative authorities had been reported in the Danish Law Report. That did not, however, indicate a lack of public awareness of international human rights instruments, since the European Convention on Human Rights had been invoked on a number of occasions in recent years.

36. Mr. BRUUN (Denmark), replying to question (c) on the equality of the sexes, said that 70 per cent of adult Danish women were economically active outside the home. As a result, Denmark was one of the leading countries in terms of child-care facilities. Women also participated actively in public life and held a significant proportion of high offices in Government and public administration.

37. Mr. Aguilar Urbina took the Chair.

38. Ms. N.H. CHRISTENSEN (Denmark), replying to question (d), said that the four human rights bodies referred to therein had different powers and objectives. They all enjoyed public funding and were established by legislation. The office of ombudsman dated from 1955 and its powers had been expanded under Act No. 473 of 12 June 1996. The Ombudsman was empowered to investigate all aspects of public administration with the exception of cases that had to be decided by Parliament or the courts. He dealt with some 3,000 cases a year and could accept petitions from individuals. The Danish Centre for Human Rights had been operating since 1987 in the areas of education, research and documentation on human rights. It also cooperated closely with non-governmental organizations. The Equal Status Council, established in 1985, worked to promote equal treatment of men and women, especially in public administration and in respect of employment and remuneration. It was empowered to demand information from the parties involved in cases before the Council. The Racial Equality Board was basically an advisory body. It could not consider specific petitions but could take individual cases into account in preparing reports of a more general nature. There was no formalized cooperation between the four institutions but informal contacts were possible.

39. Mr. BRUUN (Denmark), replying to question (e), said that Danish national legislation encouraged the conclusion of collective agreements for both Danish and non-Danish nationals working on board Danish-registered ships. Seafarers on such ships were covered by agreements between Danish shipowners and Danish unions, foreign unions or unions affiliated to the International Transport Federation. Wages under those agreements were above International Labour Organization standards. Seafarers resident in Denmark, regardless of nationality, could be represented by Danish trade unions. Foreign trade unions had the same opportunity as their Danish counterparts to demand negotiations on the conclusion of agreements and to take industrial action.

40. Ms. N.H. CHRISTENSEN (Denmark), replying to question (f), said that the Government regularly issued press releases concerning the conclusions of United Nations human rights treaty bodies following the examination of a report by Denmark. The Ministry of Justice also published a legal journal containing summaries of the decisions of international human rights bodies. As to whether the Committee's interpretation of the Covenant might assist in interpreting Part VIII of the Constitution of the Kingdom of Denmark Act, 1953, Danish constitutional rights did not, as a rule, guarantee substantive protection of the individual against the authorities. International obligations were therefore supplementary to Part VIII.

41. Mr. BRUUN (Denmark), replying to question (g), said that Denmark's position on its reservations to the Covenant was unchanged.

42. Replying to question (h), he said that no views concerning Denmark had been adopted by the Committee under article 5, paragraph 4, of the first Optional Protocol. Two communications concerning Denmark had been declared inadmissible. The Danish authorities were, however, aware of the need to introduce procedures for the implementation of such views and the Administration of Justice Act had been amended to comply with a judgement under the European Convention on Human Rights.

43. Lord COLVILLE asked why Denmark had entered a reservation under article 10, paragraph 3, of the Covenant, which stated that juvenile offenders should be segregated from adults, while it had not done so in respect of article 37 (c) of the Convention on the Rights of the Child, which made a similar provision.

44. He understood why Denmark continued to maintain its reservation in respect of article 20, paragraph 1 of the Covenant but the law had subsequently developed, notably with the case of Jersild v. Denmark. It was clearly difficult to determine where the balance lay between freedom of expression under article 19 of the Covenant and the prohibition of the advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence under article 20, paragraph 2, but he wondered if the Government of Denmark had come to any conclusion as to where the dividing line was to be found.

45. Mr. MAVROMMATIS said that some of the replies by the delegation had been rather selective and might perhaps be supplemented before the submission of the next periodic report. Paragraph 17 of the report stated that the Covenant was "essentially a part of the European Convention on Human Rights", a statement that was typical of a number of European countries which made frequent reference to the European Convention while treating the Covenant somewhat cavalierly. It was thus hardly surprising that there had been only two communications from Denmark under the Optional Protocol. More should be done to acquaint people in Denmark with the provisions of the Covenant, which in certain areas were different from those of the European Convention. It was to be hoped that the Covenant would eventually receive at least equal treatment with the European Convention.

46. Mr. LALLAH said that, while he had been pleased to hear a member of the delegation say that the Covenant provided better protection for certain human rights than the European Convention, both the periodic report and the Core Document (HRI/CORE/1/Add.58) suggested too Eurocentric an approach to the protection of human rights. Paragraph 99 of the report referred to a judgement of 1986 in which the Supreme Court had ruled that there had been no violation of articles 16 and 17 of the Covenant, and he wondered if the court would have come to the same conclusion if the Committee's decision in the case of Ms. Zwaan-de Vries had then been adopted.

47. If the Committee's deliberations were published and discussed in Denmark, there might be more cases under the Optional Protocol. The emphasis on the European Convention gave the wrong signal to the public, especially when it was stated that the Covenant was part of the European system, whereas it was well known that the European Convention was based on the first draft of the Covenant.

48. He had been surprised to learn from paragraph 46 of the Core Document that a district-court judge also performed the functions of bailiff and estate administrator; his functions should surely be exclusively judicial.

49. The reference in paragraph 32 of the report to the fact that it was in effect impossible to apply the death penalty was a welcome feature of Danish law, but it would surely have been better to enshrine its abolition in the Constitution.

50. He welcomed the statement in paragraph 33 of the report that extradition of a suspect for prosecution in another country could take place only on condition that capital punishment could not be executed for the act in question.

51. Mr. EL-SHAFEI said that the Covenant seemed to have a second-degree legal status in Denmark: it was not incorporated in domestic legislation; it was not clear that it had even equal status with domestic legislation; there was nothing in the report to show that it had binding effect in legal terms or in practice; and paragraph 17 of the report showed that it was considered to be "essentially a part of the European Convention". The two instruments were not identical, and neither was part of the other. He was not convinced by the statement in the last sentence of paragraph 103 of the Core Document that provisions of human rights conventions were applicable before the Danish courts and administrative authorities.

52. Mr. KLEIN said he had not understood the replies to questions (a) and (b). The Covenant did not require its own incorporation into domestic legislation but merely that it be respected. Incorporation was one way, though not the only way, of achieving that. He doubted whether it was a correct assessment to state, as the delegation had, that the Covenant was, although not formally incorporated in Danish law, incorporated in a very similar and only formally different manner to the European Convention. Being able to influence the application of the law if invoked before the courts was not the same as having to be applied as domestic law. The reservations made at the time of ratification had not stated clearly the status of the Covenant, and he asked the delegation if the issue of the Covenant's status in the domestic legal order could be reassessed.

53. Mr. BRUUN (Denmark) said that Denmark had entered its reservation in respect of article 10, paragraph 3, because it considered it necessary to retain the possibility of flexible conditions of detention for juvenile and adult offenders; the second sentence of that paragraph was unconditional. Article 37 (c) of the Convention on the Rights of the Child stated that every child deprived of liberty should be separated from adults "unless it is considered in the child's best interest not to do so". It had thus been possible not to enter a reservation. As for the balance between article 19 on freedom of expression and article 22 on prohibition, the debate was not an easy one to summarize and it would be better dealt with on another occasion.

54. Ms. N.H. CHRISTENSEN (Denmark) said, with regard to the status of the Covenant, that it was given serious and deep consideration at both legislative and court levels. The Government had been considering introducing automatic speed-limit controls on motorists, and the question had arisen as to whether a

motorist could be convicted if he or she refused to say whether he or she had been driving the vehicle at the time. Because of the provision in article 14, paragraph 3, subparagraph (g), of the Covenant that, in the determination of a criminal charge, a minimum guarantee was that the person concerned should not be compelled to testify against himself or to confess guilt, the Government had been unable to implement its proposed arrangements.

55. She undertook to request the Government to reconsider incorporating the Covenant in the same manner as had been done with the European Convention, but the argument that citizens would thereby be guaranteed better protection of their human rights was unacceptable because the Government did not believe that incorporation would have that effect.

56. Mr. BRUUN (Denmark) said, with reference to Mr. Lallah's suggestion that consideration be given to changing the Constitution to ensure that the death penalty was not reintroduced, that procedures in Denmark made it extremely difficult to change the Constitution. The last change had been in 1953, when the possibility had been added of female succession to the throne.

57. Mrs. MEDINA QUIROGA said that she wished to dispel any doubt about the comparison she had made between the use of dogs in crowd control and police firing shots into the air. If she had thought that the step that would necessarily follow shots in the air would be aimed shots, she would not have made the comparison at all.

58. Mrs. CHANET said that she hoped that the next periodic report would provide clarifications regarding the law of 10 October 1996 with respect to prohibition of freedom of movement and association. As for the eternal rivalry between the Covenant and the European Convention, they could certainly not be said to be the same if they did not have the same legal value. They differed on a number of points and, if the European Convention had been incorporated in Danish legislation, the Covenant should be also.

59. Mr. BUERGENTHAL said, that while he had a clear impression that Denmark was constantly striving to improve the enjoyment of human rights, it was true that countries with a good human rights record often also had certain blind spots. In the case of Denmark, one such blind spot was the use of dogs for crowd control. Denmark's approach to pre-trial detention also needed to be reviewed in the light of the Committee's comments on presumption of innocence.

60. Mr. FRANCIS said that the information concerning the establishment of a new, independent regime for investigating complaints against the police was welcome.

61. It was also encouraging to hear that a new code of principles for the use of police dogs was to be promulgated. While the use of police dogs was intended to help maintain civic order, it sometimes had the opposite effect. The police needed the full support of the public in uncovering the perpetrators of crimes, whereas the use of dogs was an especially unpleasant and intimidating form of dealing with the public, and might induce people to react against cooperation with the police.

62. Mrs. EVATT said that the human rights situation in Denmark was generally satisfactory. She was not convinced, however, by the arguments advanced in paragraphs 16 and 17 of the report to explain why the European Convention on Human Rights had been incorporated into Danish law, but the Covenant had not. If the goal was, as stated, to promote greater familiarity with human rights rules, then, surely, the Covenant should also be incorporated. It offered protection in some areas - particularly those covered in articles 26 and 27 - that went beyond the provisions of the European Convention. While the answers to the questions on minorities had relieved some of her concerns, there was a need for greater understanding of the principles enunciated in those articles.

63. As the report frankly acknowledged, the differentiation of family groups might cause problems regarding the application of articles 17 and 23 and could lead to unreasonable discrimination. Her other concerns, as she had already pointed out, related to solitary confinement and the use of dogs.

64. Lord COLVILLE said that a comparison of the third periodic report with the second showed that progress had been made in the interim. The next report should concentrate on a limited number of points.

65. More information should be given about the Faroe Islands. The question of the treatment of immigrants, refugees and asylum-seekers should be kept under review. The legislation dealing with the serious problem of biker gangs might need to be modified to ensure it was in full compliance with human rights standards. The new system for complaints against the police would, he hoped, play a positive role in the protection of human rights in the most vulnerable pre-trial stage, and might well constitute a model for other States parties.

66. Mr. LALLAH said that the report showed considerable improvement in respect of the few defects identified during the consideration of the previous periodic report. Though more could always be done to ensure the enjoyment of human rights, it did appear that all the provisions of the Covenant were applied, in one way or another, in Denmark.

67. Mr. EL-SHAFEI said that he did not agree with the view advanced by the Danish delegation that the non-transfer of administration of justice to Greenland was compatible with article 1 of the Covenant. He was pleased, however, to hear that the delegation would report to the Government on the Committee's views on that matter and others, such as the status of the Covenant in domestic legislation. The small number of communications received by the Committee under the Optional Protocol seemed to indicate that little was known about it in Denmark. He hoped the Committee's request that the Government review its position on reservations would likewise be heeded.

68. Mr. ANDO said, while Denmark's protection and promotion of human rights was exemplary, the third periodic report had been long overdue. It was to be hoped that the fourth periodic report would be submitted on time. Since some of the Covenant's provisions had no counterpart in the European Convention on Human Rights, the Government should consider incorporating the Covenant into domestic legislation.

69. The Danish delegation had explained the situation with regard to a number of reservations but had said nothing about the reservations to article 14, paragarph 5, and he wondered whether it had been withdrawn.

70. With regard to indigenous rights in Greenland, he had noted that environmental protection was under the exclusive jurisdiction of the Greenland Home Rule Government, while State security and defence were the province of the central Government. There was a potential for jurisdictional conflict there, and he would like to know what mechanisms existed to solve any such conflicts, and if there had been any to date. He would also be interested in hearing whether there was any disparity between indigenous practices and human rights standards in Denmark.

71. Mr. PRADO VALLEJO said that he still had a number of concerns about human rights in Denmark. Solitary confinement, when excessively prolonged, became a form of cruel and unusual punishment under article 7 of the Covenant. The delegation's response to the question about family reunification and political asylum had touched only on instances involving closely related members of a family and he would like to have that condition defined. The reasons given for incorporating the European Convention on Human Rights, but not the Covenant, into domestic legislation were not convincing. Regional and international systems were complementary, a view that he urged upon the Danish Government.

72. Mr. POCAR said that he was still concerned about the lack of a maximum time-limit for pre-trial detention. While there was certainly a need for flexibility, flexibility in respect of a basic right like freedom of the person had to be limited. That was all the more true in that pre-trial detention could sometimes take the form of solitary confinement. The next report might, perhaps, provide some statistics on the actual duration of pre-trial detention.

73. Mr. BHAGWATI said that he did not agree with the arguments concerning the use of police dogs. There were many alternative methods of crowd control, such as tear-gas, water-cannons and firing into the air. The use of handcuffs must be reduced, and leglocks abolished. The measures devised to compensate indigenous people displaced as a result of construction of the United States air base were not satisfactory. Family reunification should be allowed in the case of temporary residence; the five-year residence requirement was too long. The use of solitary confinement as a mode of punishment was disturbing and must be discontinued, except for very rare cases and very short periods. Those were blemishes on the generally excellent human rights record of Denmark.

74. The CHAIRMAN thanked the Danish delegation for its contributions to a frank and fruitful dialogue with the Committee. Denmark's attention to human rights was certainly not surprising, since it had long demonstrated a keen interest in and concern for human rights, both domestically and internationally.

75. Mr. BRUUN (Denmark) said that the points raised by the members of the Committee had been carefully noted for transmission to his Government, which was conscious of the need to submit its fourth periodic report in the near future.

76. The CHAIRMAN said that the deadline for submission of the fourth periodic report had been 1 November 1995, but that the Committee would establish a new deadline in due course.

77. He announced that the Committee had concluded its consideration of the third periodic report of Denmark (CCPR/C/64/Add.11).

The meeting rose at 6 p.m.